

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

TOMMY L. JOHNSON,

Plaintiff,

vs.

**LUCAS NANNIE and DAWAN
RIGHTNOWAR,**

Defendants.

Case No. 20-CV-48-SMY

ORDER

YANDLE, District Judge:

In January 2020, Johnson filed a prisoner civil rights suit under 42 U.S.C. § 1983. (Doc. 1). The case proceeded to jury trial on September 5, 2023 and September 6, 2023. The jury ultimately returned a verdict in favor of Defendants (Doc. 229). Johnson filed a Notice of Appeal on December 1, 2023 (Doc. 239). Now before the Court is Johnson’s Motion for Leave to Appeal *in Forma Pauperis* (“IFP”) (Doc. 250).

A federal court may permit a party to proceed on appeal without full pre-payment of fees provided the party is indigent and the appeal is taken in good faith. 28 U.S.C. § 1915(a)(1) & (3); FED. R. APP. P. 24(a)(3)(A). An appeal is taken in “good faith” if it seeks review of any issue that is not clearly frivolous, meaning that a reasonable person could suppose it to have at least some legal merit. *Lee v. Clinton*, 209 F.3d 1025, 1026 (7th Cir. 2000).

Johnson has provided necessary details regarding his financial condition, from which the Court finds that he is indigent and unable to retain counsel. In addition, Johnson has specifically stated the grounds upon which the appeal is sought. Specifically, Johnson challenges several aspects of the September 2023 jury trial. As such, the Court finds that a reasonable person could

suppose that the appeal has merit. Accordingly, the Motion for Leave to Proceed on Appeal IFP is **GRANTED**.

IT IS SO ORDERED.

DATE: February 20, 2024



STACI M. YANDLE
United States District Judge